

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

SPARKLE HILL, INC.,
individually and as the
representative of a class of
similarly-situated persons,

Plaintiff,

v.

INVECOR, LLC d/b/a AMB
BUSINESS SUPPLY,

Defendant.

Civil No. 13-4172 (NLH/AMD)

AMENDED SCHEDULING ORDER

The Court having conducted a hearing and telephone status conference on the record on July 30, 2015; and good cause appearing for the entry of the within Order:

IT IS on this **3rd** day of **August 2015**, hereby **ORDERED**:

1. Pretrial factual discovery (class and merits) shall be concluded by **September 30, 2015**. All discovery motions and applications pursuant to L. Civ. R. 37.1(a)(1) shall be made returnable before the expiration of pretrial factual discovery.

2. **Depositions**. All depositions are to be conducted in accordance with the procedures set forth in the order of Judge Gawthrop, in *Hall v. Clifton Precision*, 150 F.R.D. 525 (E.D. Pa. 1993).

The Court shall not permit at trial any witness testimony by video unless the witness is unavailable as set forth in FED. R. Civ. P. 32(a)(4), or unless such deposition use is otherwise permitted under FED. R. Civ. P. 32.

3. All expert reports and expert disclosures pursuant to FED. R. CIV. P. 26(a)(2) on behalf of Plaintiff shall be served upon counsel for Defendant not later than **October 30, 2015**. All expert reports and expert disclosures pursuant to FED. R. CIV. P. 26(a)(2) on behalf of Defendant shall be served upon counsel for Plaintiff not later than **November 30, 2015**. Each such report should be accompanied by the *curriculum vitae* of the proposed expert witness. No expert opinion testimony shall be admitted at trial with respect to any witness for whom this procedure has not been timely followed. Depositions of proposed expert witnesses shall be concluded by **December 30, 2015**.

The parties shall also exchange, in accordance with the foregoing schedule, written statements identifying all opinion testimony counsel and the parties anticipate will be presented at trial pursuant to FED. R. EVID. 701 and *Teen-Ed v. Kimball International, Inc.*, 620 F.2d 399 (3d Cir. 1980).

The Court shall not permit at trial any witness testimony by video unless the witness is unavailable as set forth in FED. R. CIV. P. 32(a)(4), or unless such deposition use is otherwise permitted under FED. R. CIV. P. 32.

4. The Court will conduct a telephone status conference on **November 2, 2015 at 2:00 P.M.**. Counsel for Plaintiff shall initiate the telephone call.

5. **Dispositive Motions**. Dispositive motions shall be filed with the Clerk of the Court no later than **January 22, 2016**. Opposition to the motion should be served in a timely fashion. Counsel are to follow L. Civ. R. 7.1, 7.2, 56.1 and 78.1 (Motion Practice - Generally).

6. Any application for an extension of time beyond the deadlines set herein shall be made in writing to the undersigned and served upon all counsel prior to expiration of the period sought to be extended, and shall disclose in the application all such extensions previously obtained, the precise reasons necessitating the application showing good cause under FED. R. CIV. P. 16(b), and whether adversary counsel agree with the application. The schedule set herein will not be extended unless good cause is shown.

THE FAILURE OF A PARTY OR ATTORNEY TO OBEY THIS ORDER
MAY RESULT IN THE IMPOSITION OF SANCTIONS UNDER FED. R. CIV. P.
16(f).

s/ Ann Marie Donio

ANN MARIE DONIO
UNITED STATES MAGISTRATE JUDGE

cc: Hon. Noel L. Hillman